

### III. REMARKS

Claims 1-28 are pending in this application. By this Amendment, the claims 1, 24-25 and 27 have been amended. The above amendments and the following remarks are being made to facilitate early allowance of the presently claimed subject matter. Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claim priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

Entry of this Amendment is proper under 37 C.F.R. §1.116(b) because the Amendment: (a) places the application in condition for allowance as discussed below; (b) does not raise any new issues requiring further search and/or consideration; and (c) places the application in better form for appeal. Accordingly, Applicants respectfully request entry of this Amendment.

In the Office Action, claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pitroda (USPN 5,884,271), in view of Ogasawara (USPN 6,577,861). Applicants submit that the claimed subject matter is allowable for the reasons that follow.

With regard to independent claims 1, 17, 21 and 24-28, Pitroda and Ogasawara do not disclose or suggest, “the information for identifying the customer and the registration information about the customer is associated with each other only at the data management server, the data management server being different than the process execution terminal that receives the information for identifying the customer.” (Claim 1, similarly claimed in claims 17, 21 and 24-28). The Office admits that Pitroda does not disclose or suggest this feature (*see*, e.g., Office Action at page 4), but relies on Ogasawara to overcome this deficiency of Pitroda. However, in Ogasawara, the customer’s phone number and customer information is obtained and searched by the same store server or remote server 10, 26 (*see*,

e.g., FIG. 2, telephone interface 48 and customer information 50 are within the same server, either store server 10 or remote server 26.) As such, Ogasawara and Pitroda, even in the suggested combination, does not disclose or suggest, “the information for identifying the customer and the registration information about the customer is associated with each other only at the data management server, the data management server being different than the process execution terminal that receives the information for identifying the customer.” (Claim 1, emphasis added).

In addition, there is no suggestion or motivation to combine Pitroda and Ogasawara. In Pitroda, the communication interface unit (CIU) 21 interfaces with the UET cards to read data from the UET card and process the data. (See col. 10, lines 5-16.) As shown in FIG. 1 of Pitroda, the UET card stores all the information regarding the customer, including registration information, which is read by the CIU 21. As Pitroda relies on this specific data storage and communication media, UET card, to implement its method, Pitroda cannot adopt the teachings of Ogasawara regarding the telephone interface, the customer information, and the possible association of telephone number with customer information. Pitroda must be implemented using the UET card, and CIU 21 of Pitroda associates registration information with information identifying the customer, e.g., PIN code of the customer. As such, it is not feasible to combine Pitroda and Ogasawara as the operating principles of the two inventions are too different to be integrated. That is, there is no reasonable expectation of success to combine Pitroda and Ogasawara. In view of the foregoing, the Office fails to establish a *prima facie* case of obviousness, and Applicants respectfully request withdrawal of the rejection.

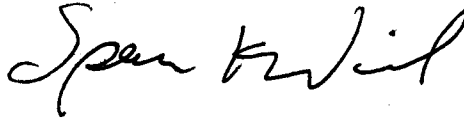
Moreover, with respect to claims 6, 11 and 21, the suggested combination does not disclose or suggest, *inter alia*, “a data management server for associating an identification code identifying a

customer with registration information registered for said customer and sending mark data representing said identification code to a customer communication terminal; and a process execution terminal adapted for data communication with said data management server, said process execution terminal having a mark reader for reading a mark displayed on the display of said customer communication terminal based on said mark data[.]” (Claim 6, emphasis added, similarly claimed in claims 11 and 21.) In Pitroda, the information sent from a main frame to a UET card is credit card information, and the CIU receives all the credit card information from the UET. (*See* col. 11, lines 11-15 and col. 16, line 65 to col. 17, line 2.) Pitroda does not disclose or suggest mark data representing an identification code (i.e., not the identification code itself) already existing in a data management system. In addition, Pitrode does not disclose or suggest “said process execution terminal having a mark reader for reading a mark displayed on the display of said customer communication terminal[.]” Instead, the UET card and the CIU of Pitroda are connected by electronic contacts (*see* col. 13, lines 1-6, “metal contacts of the UET card are connected to the corresponding contacts or port of the CIU”). That is, the CIU of Pitrode cannot read from the display of the UET card. Ogasawara does not overcome, *inter alia*, this deficiency of Pitroda. In view of the foregoing, the suggested combination of Pitroda and Ogasawara does not disclose or suggest each and every claimed feature, and Applicants respectfully request withdrawal of the rejection.

The dependent claims are believed allowable for the same reasons stated above, as well as for their own additional features.

Applicants respectfully submit that the application is in condition for allowance. Should the Examiner believe that anything further is necessary to place the application in better condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Spencer K. Warnick". The signature is fluid and cursive, with the first name "Spencer" being more prominent and the last name "Warnick" following in a similar style.

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